

MONTANA LEGISLATIVE HISTORY

Chapter 183 19 73

Bill H 129 S _____ Original bill & history ____C

H. Committee on Judiciary

Hearing Date(s) Jan 18 ☒ C

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Date Out _____ C

S. Committee on Finance & Claims

Hearing Date(s) Feb 16 ☒ C

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Did this bill originate in an interim committee? ____Yes ____No

Committee _____

Report _____

January 18, 1973

JUDICIARY COMMITTEE

The eighth meeting of the House Judiciary Committee was called to order in Committee Room 436 of the Capitol Building at Helena, Montana on Thursday, January 18, 1973 at 9:00 a.m. Representative John C. Hall, Chairman, presided. All members were present.

HOUSE BILL 129 Representative Hank Cox, District 8, Yellowstone, chief sponsor of this bill, introduced and summarized stating this bill intends to increase the annual salary of court reporters. Representative Olson, District #3, co-sponsor of this bill stated he would certainly like to maintain and keep our present court reporters and feels an increase in salary is necessary to do so.

Robert T. Rogers, a court reporter from Billings, also appeared as a proponent and witness. Mr. Rogers introduced court reporters in attendance as Mr. Robert Neiboer of Kalispell, Mr. Don Nyquist of Great Falls, Mr. Gene P. Hollman of Havre, Mr. Jim Hathaway of Miles City and Mr. Phil Fordahl of Great Falls, also proponents.

Following considerable discussion the hearing was closed. Representative Roberts moved DO PASS. Representative McKittrick seconded motion. Representative Towe moved bill be amended in line 16 by adding after the word "of" the words "sixty (60%) percent of salary received by district judge provided, however, that in no case shall it be less than \$14,000". Representative Bell seconded motion to amend. Motion carried with Representatives Yardley, Brown, Lucas, Marbut and Warfield voting no.

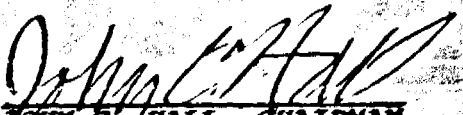
Representative Towe moved DO PASS AS AMENDED, Representative Lucas seconded. Motion passed unanimously.

HOUSE BILL 9 Chairman Hall stated committee would take up House Bill 9 tomorrow.

HOUSE BILL 159 Chairman Hall requested, with committee's permission, to hold this bill in committee until all gambling bills are in.

All business being concluded the meeting was adjourned at 9:50 a.m.

JCH:pb


JOHN C. HALL, CHAIRMAN

February 16, 1973

A meeting of the Finance and Claims Committee was called to order by Senator Groff, chairman on the above date. Senator Thiessen was excused, and Senator Hazelbaker was absent.

HOUSE BILL 129, which raises the salaries of court reporters, was brought before the committee. Mrs. Converse, court reporter for Judge W.W. Lessley, Bozeman, spoke for the court reporters, and gave a background of the special training and qualifications necessary for court reporters. She noted that they had received a \$400 raise in the past 6 years. This is not general fund money, as court reporters are paid from the counties that make up each district. She presented a fact sheet, hereto attached to these minutes.

Questions were asked by the committee, after which the guests were excused.

HOUSE BILL 211, which raises the salaries of probation officers, was considered by the committee. D.W. Bill Avery, Jr., Great Falls Chief Probation Officer, spoke for the bill. He spoke of the additional responsibilities probation officers are handling, in addition to delinquencies, such as emotional disturbances, broken homes, run-aways, etc. He noted that they are on 24 hour call, 7 days a week. They have received one raise in the last 6 years. Chuck Dooley, President of the Montana Correctional Officers Association, and Ted Lechner, Probation officer from Billings, also spoke in support of the bill.

HOUSE BILL 152, which appropriates \$1,700 to help pay the Skyliners Drum and Bugle Corps expenses for attending and marching in the 1973 Presidential Inaugural parade, was discussed by the committee.

Jack Kessner, Representative, Great Falls, sponsor of House Bill 152, spoke in support of the bill, and noted that the total cost of the trip cost approximately \$16,848, with chaperones and the director paying their own way. They have raised in Great Falls, about \$12,000 in subscriptions. Del Thurber, Director of the band, urged support of the bill, and noted that Governor Anderson had asked them to be the state's representative. He noted that they had received no monies from any state agencies.

Discussion was held with the committee, and guests were then excused.

SENATE BILL 456, which provides for compensation for legislators on official business during the interim to be computed in quarters of days, was explained by Senator Groff. Senator Bollinger moved SENATE BILL 456 DO PASS. Seconded by Senator Bertsche. MOTION CARRIED UNANIMOUSLY.

Senator Bertsche moved to amend House Bill 129, by changing the \$14,000 to \$12,500, and amending out the new material on lines 17, 18, and 19 of page 1. Seconded by Senator Bollinger. Motion carried. Senator Bertsche then moved that HOUSE BILL 129 BE CONCURRED IN AS AMENDED. Seconded by Senator Bollinger. MOTION CARRIED UNANIMOUSLY.

(2) Provided, further, three (3) members of the board of county commissioners may be allowed actual transportation expenses and per diem for attendance upon any general meeting of county commissioners or assessors held within the state not oftener than once a year and the proportionate expenses and charges against each county as a member of such association shall also be paid; provided also that county attorneys, sheriffs, and justices of the peace are hereby authorized to attend their respective meetings or conventions held within the state and are allowed actual traveling expenses not oftener than once a year for attending same.

(3) Provided, further, that nothing herein shall be construed to prevent any city or town council, commission or other governing body from paying membership fees and dues in any organization of city and town officials whose purpose is improvement of laws relating to city and town government and their better and more economical administration, and the necessary expense of any regular officer or employee of such city or town in attending any convention or meeting of such organization upon the direction of such council, commission, or other governing body by order upon its minutes stating that the public interest requires such attendance; such payment of membership fees, dues and/or expense to be made from such fund of the city or town as the council, commission or other governing body shall direct by such order, upon claim presented, audited and allowed as are other claims against such city or town.

(4) Provided, further, that all county clerk and recorders of the various counties throughout the state of Montana shall be allowed actual transportation expenses and per diem allowance for attendance upon any general meeting of the Montana association of county clerk and recorders held within the state not oftener than once a year, and the proportionate expenses and charges against each county as a member of such association shall be paid by such county.

(5) Provided, further, that all county clerks of the district court of the various counties throughout the state of Montana shall be allowed actual transportation expenses and per diem allowance for attendance upon any general meeting of the Montana association of clerks of court held within the state, not oftener than once a year, and the proportionate expenses and charges against each county as a member of such association shall be paid by such county.

(6) *Provided, further, that all county treasurers of the various counties throughout the state of Montana shall be allowed actual transportation expenses and per diem allowance for attendance upon*

any general meeting of the Montana association of county treasurers held within the state, not oftener than once a year, and the proportionate expenses and charges against each county as a member of such association shall be paid by such county."

Approved: March 7, 1973.

CHAPTER NO. 183

An Act to Amend Section 93-1906, R.C.M. 1947, to Increase Annual Salary of Court Reporters.

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. Section 93-1906, R.C.M. 1947, is amended to read as follows:

"93-1906. **Salary and expenses of reporter—apportionment.** Every reporter appointed under the provisions of this chapter receives an annual salary of *twelve thousand five hundred dollars (\$12,500)* and no other compensation except as provided in section 93-1904, provided, however, that all transcripts and bills of exceptions required by the county shall be furnished without cost, payable in monthly installments out of the general funds of the counties comprising the district for which he is appointed, according and in proportion to the number of civil and criminal actions entered and commenced in the district courts of such counties respectively in the preceding year; and it shall be the duty of the judge of such district, on the first day of January of each year, or as soon thereafter as may be, to apportion the amount of such salary to be paid by each county in his district on the basis aforesaid. The reporter is allowed, in addition to the salary and fees above provided, in judicial districts comprising more than one (1) county, his actual and necessary expenses of transportation and living when he goes on official business to a county of his judicial district other than the county in which he resides, from the time he leaves his place of residence until he returns thereto; said expenses to be apportioned and payable in the same way as the salary."

Approved: March 7, 1973.

CHAPTER NO. 184

An Act Amending Section 82-1208, R.C.M. 1947, Relating to Appointment of Acting Fire Marshals, Special Deputy Fire Marshals and Fire Marshal's Employees.